

**AN ORDINANCE TO ENFORCE PEACE AND ORDER, RESTRAIN DOGS
AND GENERALLY REGULATE DOG OWNER'S RESPONSILILITIES IN THE
TOWN OF BERLIN.**

June 2013

**BE IT RESOLVED and ordained by the Town Board of the Town of Berlin,
Rensselaer County, State of New York as follows:**

Section 1.

It shall be unlawful for any owner of or any person harboring any dog, whether licensed or not, in the Town of Berlin to permit or allow such dog to:

- A. Engage in habitual loud howling or barking or to conduct itself in such manner so as to habitually annoy any person other than the owner or person harboring such dog.
- B. Run at large unless the dog is restrained by an adequate leash and not at a time when it was accompanied by its owner or a responsible person able to control it neither by command nor in company of a hunter or hunters.
- C. Uproot, dig, or otherwise damage any vegetables, lawns, flowers, garden beds, or other property not belonging to the owner of such dog.
- D. Chase, jump upon or at or otherwise harass any person in such a manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm or injury.
- E. Habitually chase, run alongside of or bark at motor vehicles while on a public street or highway or upon public or private property other than property of the owner or harbinger of said dog.
- F. Create a nuisance by defecating, urinating or digging on public property or private property other than the property of the said owner.

Section 2.

Upon receipt by the Town Justice of any complaint against the conduct of any particular dog, the town justice may summons the alleged owner or other person harboring said dog to appear in person before him; if the summons is disregarded, the Justice may permit the filing of the information and issue a warrant for the arrest of such person.

Section 3.

Any person who violates this ordinance or knowingly permits the violation of this ordinance or of any of the provisions therefore shall be deemed to have committed an offense against this ordinance and any person convicted of any such violation after investigation and hearing shall be liable to a penalty of not less than \$25.00 nor more than \$100.00 or not more than three (3) days in jail for EACH violation. If the dog owner or person harboring said dog, does not comply with the Justice's orders, the dog can be removed from the premises by the Dog Control Officer.

Section 4.

Any dog found to not be properly licensed may be seized by the Dog Control Officer.

Section 5.

This ordinance shall take effect ten (10) days after its publication and posting as provided by Sec. 133 of the Town Law.

Dated:

By order of the Town Board